

CITIZENS' OVERSIGHT PROJECTS (COPS)

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COPS SUBMISSION TO THE DEC. 8, 2008 PROCEEDINGS

Citizens' Oversight Projects (COPs) encourages citizens to engage in oversight of our governmental bodies. Election Integrity is one of our issues projects, and we have observed and documented the elections process mainly in San Diego County, California, and have submitted a number of questions to the Registrar of Voters regarding their process in this jurisdiction.

Regarding the Election Administration and Voting survey, we believe that your survey can be improved with the addition of many of the questions we posed to the San Diego Registrar. Therefore, we have prepared this submission for your review.

Please note that the questions below are perhaps too highly focused on the operation of the San Diego County method, which includes paper ballots transported to a central processing area (the Registrar of Voters (RoV) office) and then hand-fed through 150 Diebold scanners (the same ones that used to be used in each precinct).

1 Report Enhancements

1.1 Trend Analysis

Given that this will be the third election season that is covered by the survey, adding trend analysis to the report is feasible and appropriate. For example, comparing response rates and rates of specific questions when compared from year to year. It lets one answer the question, "How are we doing?"

1.2 Non-Responding Jurisdictions

Explicitly listing jurisdictions that do not respond at all to the survey will help citizens to pressure their jurisdiction to take part in the survey.

Additional questions suggestions

2 The following questions relate to procedures in the precincts (polling places) and collection centers.

2.1 Are there written procedures for precinct operation?

2.2 Do you post these procedures on the jurisdiction web site?

3 In terms of blank ballot and voting equipment allocation to the various precincts:

3.1 What is the policy for the count of blank ballots/equipment distributed to each polling place?

3.2 Is there a set policy (i.e. mathematical expression) or is this done on an ad-hoc basis?

- 4 At the precinct, when a provisional ballot is supplied to a voter,
 - 4.1 Q: Is this noted on the Voter Roster, or is there a separate provisional roster maintained?

- 5 At the precinct
 - 5.1 Is a running count of ballots provided to the voter maintained?
 - 5.2 If not, if the voter leaves the polling place with a ballot, the count of returned ballots will not match the roster, and yet the voter record will later be updated as if he/she has voted.
 - 5.2.1 In how many precincts was the roster in disagreement with the number of ballots found in the box?
 - 5.2.2 Do poll workers make any notes if they notice that a voter leaves the voting area with the ballot?
 - 5.2.3 Do you make a report of discrepancies of this kind?
 - 5.3 Does the polling place maintain a polling-place statement, detailing the number of ballots, whether they are soiled, provisional, etc?
 - 5.4 Do polling place workers handle the ballots, such as to count them, separate out any with write-in votes, etc?

- 6 Collection Point & Chain of Custody
 - 6.1 Does your jurisdiction use collection points where, a number of precincts deliver their ballots for later delivery to a central location?
 - 6.2 How many collection points are there?
 - 6.3 Are the condition of the seals on the batch boxes noted?
 - 6.4 Do you have a Chain-of-Custody document?
 - 6.5 Do you have written procedures for chain-of-custody?
 - 6.6 Do you have camera surveillance?

- 7 Reception at the central processing facility
 - 7.1 Do you have a procedure for receiving ballots at a central processing facility?
 - 7.2 Do you maintain written procedures?
 - 7.3 Do you have any logs maintained at this point?
 - 7.4 Are the counts of ballots as generated at the polling place checked with the actual ballot count?
 - 7.5 Are ballots recounted at this point?

- 8 The next questions relate to the Vote-by-Mail processing procedures.
 - 8.1 Do you maintain written procedures for processing of VBM ballots?
 - 8.2 Are these procedures posted on your web site?
 - 8.3 Normal return.
 - 8.3.1 When a ballot is normally returned (mailed in or hand-delivered) by a voter, it is placed unopened into an envelope processing queue.
 - 8.3.2 Are there any records kept as envelopes are received and placed into the Envelope Processing Queue (such as a tally count)?
 - 8.4 Soiled return. If the voter checks the “Soiled” box, a new ballot is issued by RoV staff.
 - 8.4.1 What records are kept?
 - 8.4.2 Are soiled envelopes just disposed of, or are they kept?
 - 8.4.3 If a voter submits a “soiled” ballot, but does not return an unsoiled ballot, are they contacted to see if their ballot was lost or stolen, or perhaps the prior envelope is fraudulently soiled?
 - 8.4.4 Is it possible for compromised RoV staff to soil ballots to affect an election?
 - 8.4.5 Has the idea of a signature requirement come up in discussions about making the act of soiling

something that only the voter could accomplish?

8.5 Bad address return.

8.5.1 If the Ballot was mailed to the voter and it was returned by USPS as unable to deliver

8.5.2 What records are updated?

8.5.3 If a forwarding address is supplied, will the RoV resend the ballot (if sufficient time exists prior to the deadline)?

8.6 Personal Delivery Return. If the ballot is returned by personal delivery, it is placed in the envelope processing queue.

8.6.1 What records are updated?

9 Envelope Processing Queue

9.1 Signature Verification.

9.1.1 Is this the operation: Envelopes are removed from the envelope processing queue in the order they were received and inspected. The signature on the envelope is compared with the signature from the Registration Form. The Voter Database is also checked to see that voter has not already voted at the precinct. ?

9.1.2 It seems that inspections must stop as soon as the voter rosters are printed and until the precinct data is entered into the Voter database to avoid duplicate votes. Is this the way this is handled?

9.1.3 Is the voter record updated with the results of the comparison?

9.1.4 What records are updated?

9.1.5 What is the criteria for a signature match or failure?

9.1.6 If the voter has submitted a ballot at the precinct, what is done with the envelope?

9.2 Signature Verification Success. Ballot is removed from the envelope and placed in a ballot “batch box.”

9.2.1 Is the count of ballots updated as the ballots are placed in the batch box?

9.2.2 Are ballots presorted by precinct as they are added to batch boxes?

9.2.3 What other records are updated?

9.3 Signature Verification Failure

9.3.1 If the signature is deemed not to match the signature on file,

9.3.2 Is the Voter Data record updated to note that the signature fails?

9.3.3 Is the voter contacted to submit another ballot or validate current ballot?

9.3.4 Is voter contacted to submit a new signature?

9.3.5 How many signatures comparisons failed in recent Elections?

9.3.6 Are they the same people?

10 Batch Box Processing. After sufficient VBM ballots are processed, the filled batch box (about 750 ballots) is transported to scanner station for processing.

10.1 Are batches of vote-by-mail ballots are scanned by a single scanner?

10.2 or are they separated by precinct first?

10.3 Is there a traveler that accompanies the batch box?

10.4 Is the number of ballots known either through counting as they are added to the box or through counting before scanning (such as by using a counting scale)?

11 Scanning Process of Batch boxes for VBM ballots.

11.1 Is a memory card used for Vote-by-Mail scanning?

11.2 Is a zero-tape created?

- 11.3 Does a single worker scan all the ballots from a single batch box?
- 11.4 Is a results tape created?
- 11.5 Does anyone read the tape?
- 11.6 Is the ballot count provided by the a-priori tally compared with the count of ballots as scanned by the scanner?

12 Memory card

- 12.1 Is a memory card transported to the central tabulator?
- 12.2 Is this a single worker?
- 12.3 As it is read into the central tabulator, does the Audit Log provide details of exactly the vote extracted from the card?
- 12.4 Is the memory card then saved for audit inspection?
- 12.5 Is the scanner tape compared with the data imported to confirm accuracy?

13 Rebox/Archive ballots.

- 13.1 Are the ballots reboxed into the mixed batch, or are they reunited with the proper precinct?
- 13.2 Is the scanner tape placed into those boxes as it is with election night ballots?

14 Logic Test Procedure

- 14.1 Is a logic-test procedure performed?
- 14.2 Are written procedures maintained for the Logic-Test procedure?
- 14.3 Are these procedures available on the jurisdiction web site?

15 Scanning Process of Election Night ballots.

- 15.1 Is a memory card used?
- 15.2 Is a zero-tape created before each scan?
- 15.3 Does a single worker scan all the ballots from a single precinct?
- 15.4 Is a results tape created?
- 15.5 Does anyone read the tape?
- 15.6 Is the ballot count provided by the a-priori tally compared with the count of ballots as scanned by the scanner?

16 The following questions relate to the post-election manual tally procedure (PEMT).

- 16.1 Do you perform a post-election manual tally (PEMT) procedure?
- 16.2 Do you maintain written PEMT procedures? Are they on the web site?
- 16.3 Do you produce a report of all discrepancies and also of no discrepancies?
- 16.4 Does your report include exact details of each race in each precinct, including not just the total number of votes, but also the votes for each element in the race (YES / NO, for example) so that vote substitution can be effectively caught?
- 16.5 Do you review the Scanner Result Tapes in the process?
- 16.6 Do you compare the memory cards with the result?
- 16.7 Do you separate Vote-by-mail ballots from election night ballots in the PEMT report?
- 16.8 What hand-tally procedure do you use (enumerate them).

17 Reconciliation Procedure

- 17.1 Do you perform any final reconciliation procedures (FRP)?
- 17.2 Do you maintain written procedures for the FRP?
Is the FRP performed prior to the PEMT procedure?

18 Central Tabulator

- 18.1 Do you use a central tabulator to consolidate the final vote for the jurisdiction?
- 18.2 Does the central tabulator maintain an audit log?
- 18.3 Does the audit log include every detail of each transaction, such as the exact total of the votes loaded from scanner memory cards, or does it only document that a transfer was performed?
- 18.4 How many workers are responsible for generating the final election result using the central tabulator?
- 18.5 If those workers were corrupted, does there exist adequate audit trail to detect any changes to the final election results?
- 18.6 Are written procedures maintained for operation of the central tabulator?

19 Secure Storage

- 19.1 Are ballots stored in a secure location?
- 19.2 Are ballots checked in and out when they are reviewed by workers?
- 19.3 Is a log maintained?
- 19.4 Is the areas secured by camera surveillance?
- 19.5 Are written procedures maintained for operation of the secure storage area?

PART II – INTRODUCTION TO OPEN CANVASS METHOD

We have noted that a number of comments that you have received mentioned desirable method of processing the ballots and voting machines. Some specify that no machines should be used and all counting handled at the precinct level, or similar proposals.

Instead, we would like to introduce you to another method of dealing with creating a canvass for a given jurisdiction, that we call the Open Canvass Method. It is a general method, and not a specific implementation of that method. In comparison, general methods include integrated optical scan (that is, a scanner that scans and extracts the vote in one pass) , hand-counted paper ballots, DRE machines, etc.

The Open Canvass method splits the scanning process from the vote extraction process, thereby allowing conventional document scanning equipment to be utilized, and that equipment creates a digital photograph of paper ballots. The entire set of ballots for the jurisdiction is provided to the public for review. Those who wish to be processing entities, such as the major parties, news organizations and oversight groups, can then purchase the complete set of images, likely by obtaining a set of data disks, such as Data DVDs.

These processing entities can then extract the vote from the images in any fashion they find convenient, from hand-counting to proprietary software to create a datafile describing the vote extracted from each ballot. Those processing entities can then compare their results and form a final conclusion by scrutinizing any ballots where there is broad disagreement.

We would like to respectfully refer the body to the following web site where a working document and presentation on the method is provided. Please visit the following link:

<http://www.copswiki.org/twiki/bin/view/Common/OpenCanvass>

For a complete overview of the method. We feel it is an appropriate mix of technology to expedite the completion of the canvass and openness to result in the elimination of hacker vulnerabilities.

We trust that you will receive these requests with the community spirit that they are intended.

Sincerely,



Raymond Lutz

Coordinator, Citizens' Oversight Projects (COPs)